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*Attorneys for Defendants C. R. Bard, Inc. and  
Bard Peripheral Vascular, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

In Re Bard IVC Filters Products  
Liability Litigation

No. MD-15-02641-PHX-DGC

**JOINT MOTION TO INCLUDE  
PLAINTIFFS' RESPONSE TO BARD'S  
MOTION TO SEAL IN THE CMO 22  
SCHEDULING PROCESS**

In connection with its Motion and Memorandum In Support of Motion for  
Summary Judgment Regarding Preemption [Doc. 5396], Defendants Bard Peripheral

Vascular, Inc. and C. R. Bard, Inc. (“Bard”) filed an Amended Motion and Incorporated Memorandum to Seal (“Motion to Seal”) [Doc. 5401]. Counsel for Plaintiffs and Bard have conferred regarding the Motion to Seal and agree that the deadline for Plaintiffs’ response to the Motion to Seal should be determined at the May 3, 2017 Case Management Conference when the Court determines the date for Plaintiffs’ response to Bard’s Motion for Summary Judgment. Proceeding in this manner will allow sufficient time for Plaintiffs to evaluate the documents Bard seeks to file under seal by the Motion to Seal and for the parties to meet and confer relating to disputes as to those documents. The parties hope that, through this meet and confer process, the areas of dispute can be eliminated or at least narrowed.

Respectfully submitted this 29<sup>th</sup> day of March 2017.

GALLAGHER & KENNEDY, P.A.

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By: /s/ Mark S. O’Connor

By: /s/ Matthew B. Lerner

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of March, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Gay Mennuti

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